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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

5 \* \* \*

6 GREGORY HAMILTON,

Case No. 3:19-cv-00380-MMD-WGC

7 Plaintiff,

ORDER

8 v.

9 GODINEZ,

10 Defendant.

11 *Pro se* Plaintiff Gregory Hamilton brings this action under 42 U.S.C. § 1983. In a  
12 prior order, the Court directed Plaintiff to file a notice with the Court indicating “whether  
13 he intends to pursue this action against Godinez considering the Attorney General’s  
14 representation that Godinez did not work at NDOC at the time when this incident allegedly  
15 took place” by May 19, 2021. (ECF No. 37 at 2.) He did not timely comply. The Court then  
16 gave him another chance to file a notice regarding Godinez by May 24, 2021 and warned  
17 him the Court would dismiss Godinez without prejudice on May 25, 2021 if he did not  
18 comply with that order. (ECF No. 38.) Again, he did not timely comply.

19 The Court has inherent power to dismiss Godinez for failure to comply with the  
20 Court’s prior orders and chooses to exercise that power here. *See Malone v. U.S. Postal*  
21 *Service*, 833 F.2d 128, 130 (9th Cir. 1987) (affirming dismissal for failure to comply with  
22 court order).

23 It is therefore ordered that Defendant Godinez is dismissed from this case without  
24 prejudice.

25 DATED THIS 25<sup>th</sup> Day of May 2021.

26  
27   
28 MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE